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# EDITORIAL POINTS

## THE AMENDMENT TO THE WAR

Ripon's first position paper on Vietnam (Ripon FORUM September 1967), cited the need to correct an "imbalance between Congress and the Executive branch which has permitted bureaucratic mistakes to go unchecked."

"The Legislative Branch," the Ripon statement said, "faces long-term problems in adapting its procedures to the growth of executive power. In recent years it has begun laying plans for such adaptation: plans for Congressional reorganization, for improved staffing, for proper access to information and expert advice. But the Vietnamese conflict came before any innovations could be made, and although it has forced many responsible legislators to revise their own roles in the making of foreign policy it has caught Congress as a whole off guard.

"Congress has had neither the staffing nor the machinery to assert its prerogatives in the making of Vietnam policy. Its right to be consulted has been compromised into a right to ratify. Bureaucrats come before its inquiries in a contrived atmosphere of crisis with answers which are predetermined by carefully controlled information. Congress' right to know has been reduced to the right to be briefed. Legislators have been informed promptly of the results of policy in Vietnam, but no body of Congress has had continuing access to the political intelligence and strategic plans from which decisions are really made. Even Congress' right to set broad aims has been undermined by executive decisions which, although apparently 'tactical', have altered the character of the war. Congress, in sum, has been unable to check the bureaucracy from without. Since significant checks are also absent from within the pattern of Vietnam can easily be repeated: American policy can drift toward military solutions where political ones will suffice; American youth can die because its elders lack decisive civilian leadership."

It was with this analysis in mind, which went deeper than our opposition to a Democratic president, that Ripon supported in October 1969 various Congressional measures to limit the war, sponsored by such Republican Congressmen as Riegle, McCloskey and Findley and by Senators Mathias and Goodell. Now there is a new batch of Congressional initiatives — all of them bipartisan, all of them aimed at asserting Congressional prerogatives. The most widely publicized of these — S.A. 609, "The Amendment to End the War", sponsored by Senators Hatfield, McGovern, Goodell and Hughes and 19 others — would, beginning on January 1, 1971,

deny funds to the President to do anything other than provide asylum to South Vietnamese civilians, aid the South Vietnamese government, exchange prisoners, and expedite the safe and orderly withdrawal of U. S. troops. It would require a declaration of war by Congress or a joint resolution of both houses to permit a continued presence of American military personnel in any form after July 1, 1971. It also would set cut-off dates for all American military aid to, in or over Laos and Cambodia.

Many Ripon Society members have been working for the passage of this bold piece of legislation and for a corresponding Riegle-McCloskey measure in the House in a new Washington lobbying operation (Project Pursestrings, 1616 K St., N.W. Washington, D.C. 20006). Yet S.A. 609 has a legislative flaw that should be corrected; it also has given rise to a misconception that should be dispelled before it is endorsed by Republicans.

The legislative flaw is the emphasis on a declaration of war. Though this provision adds a certain drama to the bill, it perpetuates the mistaken notion that Congressional authority in foreign policy begins and ends with the power to declare war. This is not the case. Article I, Section 8 of the Constitution lists extensive foreign policy powers for Congress, including the power to "make rules for the regulation of the land and naval forces." In the past America has undertaken limited military activities without a formal declaration of war. In our recent history we have reserved formal declarations for wars whose goal was unconditional surrender and a subordination of all other national priorities to a quick military victory. Declared wars may result in a national spirit of crusade that blinds us to non-military objectives. Thus, in World War II many conservatives argued cogently that the crusade in Europe sought the quickest possible military victory over Germany at the expense of positioning our troops for the best bargaining advantage vis-a-vis the Russians.

There are those who share the declared war mentality who would now confront us with the choice of either total military victory or total military defeat vis-a-vis North Vietnam, without looking forward to our future relations with China. Posing a declaration of war as a major alternative to total withdrawal in S.A. 609 further reinforces this pattern of thought. But just as the Soviet Union was our future adversary in Europe in 1944, so China is our future adversary in Southeast Asia today. Our national interest demands that we neither destroy

the North Vietnamese, nor humiliate ourselves before them, because when we leave they will be the cork in the bottle of Chinese expansion.

The power that Congress should talk of re-asserting, then, is not its power to legitimize a military crusade, but its right to guide and assist the President in his conduct of a limited war. For this it needs to develop a flexible set of legislative tools. S.A. 609 adds an important new tool: it requires the President to seek a joint resolution of both Houses if he wants to keep troops in South Vietnam beyond July 1, 1971. The sponsors of S.A. 609 should strike out the passage on a declaration of war to give this new device the full and exclusive attention it deserves. This done, the Amendment will have our unqualified endorsement.

We should, however, dispel the misconception that all those who support the amendment expect all American military personnel to be out of Vietnam by mid-1971. S.A. 609 introduces a new tool, it does not say how Congress will use it. There are many who can in good conscience vote for S.A. 609 and yet expect that next year they will support a Presidential request for maintenance of a limited American presence to protect American lives. It took the French five years to accomplish a full withdrawal from Algeria, even after a negotiated settlement. Negotiated American withdrawals from Germany and Korea provided for a continuing military presence. Many supporters of S.A. 609 may well expect the President to make a convincing case for keeping American troops in South Vietnam beyond 1971. But they do require that the President himself make that case explicitly, just as he must now argue explicitly for a periodic raising of the national debt ceiling. The debt ceiling is Congress' way of reminding the President not to over-spend his annual appropriation without good cause. S.A. 609 gives Congress a similar ability to review a ceiling on our troop commitment in Vietnam.

This is a form of discipline that the President should welcome, as it enables him to require his foreign policy bureaucracy to think through and justify its aims at periodic intervals. Mr. Nixon has recognized the need for making periodic reports on American troop presence in Southeast Asia to the public and press. But nationwide television broadcasts focus attention on the rhetoric rather than the substance of important decisions. To preserve the constitutional balance in our institutions and to lower the histrionics of the Vietnam debate, Mr. Nixon should now direct reasoned arguments to Congress in a formal way that will put the full implications of his decisions to a test, without focusing national attention on the slogans in which they are couched. S.A. 609 would require him to do this.

The President should support it as a useful check for him on his foreign policy bureaucracy, supplementing the guidance he tried to provide in his State of the World Report last February. The public should support the amendment as a means of assuring that whatever the pace of withdrawals from South Vietnam, it follows formal procedures that draw our institutions and our people closer together, instead of driving us apart.

### Walter Reuther

The best memorial to Walter Reuther, who died last month in a tragic plane crash, is his union, the United Auto Workers of America. Ripon sent a representative to the most recent UAW convention, which reelected Reuther as President just prior to his death. His report:

"The delegates were nothing if not middle Americans. Most of them wore open collar shirts and bowling jackets with the names of their locals stitched on the back. At each table there were blacks and whites, men and women, young workers and old veterans. Around the convention hall hung banners supporting a pollution-free automobile, freedom from hunger, free trade, women's rights, open housing, integrated schools, electoral reform, foreign aid, changes in national priorities, a guaranteed annual wage, and plans to loosen the union seniority system.

"At the end of the convention Mrs. Martin Luther King accepted a posthumous award for her husband. "He came to Memphis — and died there — to lead a strike of sanitation workers," Reuther said in introducing her. Every delegate got to his feet to applaud for five solid minutes.

"It was clear then that U.A.W. had taken the same constituency that some would woo with backlash rhetoric and made out of it a political force committed to causes that go beyond narrow self-interest. The UAW worker has made it into the middle class, yet he is not trying to close the avenues of advancement to others.

"Walter Reuther, at 62, led the union with great charm and energy. He seemed at the convention to relish the chance to use his quick wit to argue with dissident factions. I met him on the stage.

"Yes, the Ripon Society,' he said. 'There are many good individuals in the Republican Party. What a pity the party as a whole is reactionary.' "

Yet the same might be said of the labor movement. There are many enlightened men in organized labor. What a pity that the movement as a whole is such a reactionary force. And what a loss, therefore, that its most effective, progressive leader, is dead.

*This statement was given by Frank E. Samuel, President of the Ripon Society of Washington, D.C. before the House Committee on the District of Columbia.*

On April 28, 1969, President Nixon sent to the Congress a message calling for legislation providing a non-voting delegate for the District of Columbia and establishing a Commission on Self-Government. The Ripon Society strongly supports these Presidential recommendations.

As the President said a year ago today, the Federal responsibility for the District does not require Federal rule. But Federal rule continues largely because of Federal inertia — understandable though unjustifiable — that reflects the all-too-human unwillingness to relinquish authority. Overcoming inertia can only be accomplished little by little. The

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## Political Notes

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### MISSOURI: Jack the giant killer

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At 34 years of age, John C. Danforth is the only Republican to have won statewide office in Missouri since 1946. Now he is attempting what many Missourians — not including Jack Danforth — think is impossible: Danforth is trying to unseat three-term U.S. Senator and former Secretary of the Air Force Stuart Symington.

The odds at the outset appear as overwhelming as they were in 1968 largely because of Symington's 67.5 percent of the vote in 1964. But in 1968 Danforth ran on a campaign slogan of "I Dare You" — and won the Attorney Generalship.

Symington's last two electoral tests combined his personal strength with terrible Republican years — in 1958 the recession and in 1964 Goldwater. Both candidates have run ahead of victorious national tickets in Missouri. Symington ran 83,254 votes ahead of Lyndon B. Johnson in 1964 and Danforth ran 79,566 votes ahead of Nixon in 1968. This fall's election will match strength against strength, making predictions hazardous.

Danforth's 1970 slogan of "I Hear You" indicates that he is aware of the many discontents of his constituents. He touched on some of these in his announcement speech — "Crime continues to rise at an alarming rate. Buildings are burned on college campuses and bombed in large cities. Under-financed schools are inadequate to the task of educating our children. Once great urban areas are decaying at their cores. Our air is fouled and our water poisoned by pollution. Many young people have turned alarmingly to drugs as an

House of Representatives should continue this process by responding favorably to the President's proposals.

Our reasons are simple. There are 850,000 people living in the District of Columbia. Many of them are black. They deliver the mail. They heal sicknesses. They sit as judges in the courts. They pay their taxes. But they do not vote.

Many of the 850,000 are white. They sell cars and groceries and insurance. They practice law and manage banks. They, too, heal sicknesses, sit as judges in the courts, and pay their taxes. And they, too, do not vote.

Because these 850,000 people are ordinary Americans, being neither lunatics nor criminals, they deserve to govern themselves. H.R. 11215 and H.R. 11216 are small steps toward that end. They should be enacted.

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escape from a society in which they no longer believe. Racial injustice continues to divide our country, and a mood of frustration and hostility has become more and more prevalent in America."

Danforth also clearly indicated what he feels is the cause of this discontent. "A major cause of the turmoil within our country is the knowledge that for too long the desperate needs of America have been secondary to our futile involvement in the war in Vietnam. . . . Never have we fought a war more destructive to our national self-interest than the one we are fighting now." He insists that "Senator Symington has been tragically mistaken on the war in Vietnam. He was wrong in urging continuous escalation of the war. He was wrong in advocating that we bomb Hanoi. He was wrong in advocating that we bomb docks, power plants, and industrial targets in North Vietnam. . . . He has changed some of his views, but . . ."

With Symington apparently ready to vote for the Hatfield-McGovern amendment to starve the war, however, it seems that Danforth and Symington are now near agreement on that issue. Although Danforth can be expected to continue to remind the people that Symington, now apparently a dove, has voted for some trillion dollars of military appropriations since coming to the Senate from his post as Secretary of the Air Force, the campaign should boil down to a comparison of positions on domestic policy — which both men agree should have greater priority.

Danforth will expose the Symington record of relative inaction in domestic matters — Symington has served 18 years in the Senate without authoring one major piece of domestic legislation. He will point to his own record during his tenure as Attorney General — activity which was summarized in a printed report mailed to the press by his campaign office. The report described a "dramatic increase in production by the office"

and the "initiation of innovative measures in a wide area." He will play up his vigor at 34 and contrast it with Symington's inaction in the Senate as he turns 69 in June. His campaign will probably be true to *Newsweek's* characterization of him as a "Lindsay-style Republican."

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## **RHODE ISLAND: tax problems beat Chafee too**

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1970 could be a year of opportunity for the Republican Party in Rhode Island. Incumbent Democratic Governor Frank Licht is vulnerable — beset with financial difficulties, mostly of his own making. In 1968, the governor based his campaign on a promise not to impose an income tax. He suggested instead an "investment tax" on dividends, interest and capital gains. For the current fiscal year, the tax revenue produced by this levy fell some \$7 million (or 30 percent) below Licht's own estimates. The upshot has been that Licht has alienated substantial segments of the banking and business community — while the state's financial position is more precarious than ever.

Other issues in the campaign would appear to be Licht's politically inspired treatment of court appointments, the standstill in industrial development and the generally poor economic climate in the state, and the farcical innovation of so-called "little statehouses" in the nation's smallest state.

By the time this note is printed, it is expected that Republican Attorney General Herbert F. DeSimone will have announced his candidacy for governor. DeSimone has served as attorney general since 1967, and his department recently secured a conviction against Raymond Patriarca, reputed Mafia boss. His record as attorney general and his proven vote-getting ability (he was the only Republican elected in the 1968 Democratic landslide) make the gubernatorial race in this Democratic stronghold a tossup.

The remainder of the Republican state ticket is not as easy to predict. The acknowledged front-runner for the Lieutenant Governor nomination, State Representative Frederick Lippitt of Providence, has, for the time being, disavowed any such candidacy. Mr. Lippitt was recently elected both Republican leader of the State House of Representatives and Republican National Committeeman, and apparently he wants to master these assignments before looking for new fields to conquer. If Mr. Lippitt is not a candidate, prospects for this nomination include former State Director of Administration Frederick Lees of North Providence, State Representative William McGovern of Cranston, and State Senate Deputy Minority Leader J. William Corr of East Greenwich.

The most formidable Democrat in the November

elections in Rhode Island is long-time U.S. Senator John O. Pastore. His most prominent Republican opponent will be Reverend John McLaughlin, a Jesuit priest and an editor of *America* magazine long active in libertarian affairs. McLaughlin is expected at least to keep the Democratic veteran from putting all his effort into the gubernatorial campaign. The articulate priest, from an old Irish political family, could help the GOP make inroads among the Rhode Island Catholic majority.

Two of the state's top Republican vote-getters — Secretary of the Navy (and three-term Governor) John H. Chafee and U.S. Attorney Lincoln C. Almond — will forego the ballot this year to remain with the Nixon administration. Chafee is being mentioned as a possible candidate against Democratic Senator Claiborne Pell in 1972.

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## **LOUISIANA: how to lose in new orleans without really trying**

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In the April 7 New Orleans mayoral election, Republican Ben C. Toledano lost to Democrat Moon Landrieu by a vote of 94,055 to 65,323. Toledano, a former States' Righter, made strong appeals to the lower and middle-income white voters. Though avoiding any kind of racial campaign, Toledano suffered from a total lack of rapport with the black community. For example, he opposed the city's new public accommodations ordinance — which was adopted unanimously by the city council.

Landrieu had won the Democratic nomination in last December's primary in an upset victory. At that time, Landrieu received strong Negro backing in addition to 40 percent of the white vote. The lesson for the Republicans is that one cannot begin to win, much less lead, a city like New Orleans without substantial biracial support.

In the same election, James R. Sutterfield became the only Republican to sit in the Louisiana House of Representatives. The GOP candidate narrowly defeated Theodore J. Marchand by a vote of 16,025 to 15,832. The Democratic candidate had been able to win the primary because of a split voting situation enabling the black candidate to be nominated, though the district is not all black. In the two-way general election, voting followed racial lines and Sutterfield was able to win.

The Republican candidate for district attorney of New Orleans, Phil Trice, bowed out of the campaign in February with the following statement: "Local Republican leaders have asked me, on the basis of party loyalty, to withdraw from the race for district attorney. I could not agree to the validity of the reasons advanced by them, except that, through no fault of theirs or mine, a situation has arisen in which my remaining in the race could only fragment the effort of our small party."

Though Jim Garrison won the Democratic primary for attorney general (by an unholy alliance of white conservatives and blacks), the animosity toward him could not be overestimated. Following the "not guilty" verdict in the ill-fated Clay Shaw trial, the Times-Picayune aptly described Garrison as a man unfit for the office of district attorney or any other office. To a great many people in the city (by and large, the better educated), Garrison had only humiliated and horrified New Orleans. Opposition to the district attorney transcended party affiliation and political ideology. Thus, with Trice (a former Democrat and a onetime assistant district attorney with trial experience) running for district attorney, the GOP could easily have pointed to itself as a party sincerely interested in good government and a party able to offer new channels for constructive change.

Assuming the reasons proffered by Trice to be correct, the action taken by the party leaders is a testament to their failure to build a real two-party system. Concern with fragmentation of a minute party and acquiescence to such a personality as Garrison are frighteningly reminiscent of a bygone era. The party has seen fit to practice the old politics of exclusion, for any D.A. candidate could have been expected to lead the GOP slate in April.

The answer to this amazing conduct may lie in the fact that Willard Robertson was the campaign treasurer for Toledano. Robertson, a financial backer of Governor McKeithen and Garrison, was a leader of a private (now discredited) group of citizens financing Garrison's Kennedy probe. Not only is the association of the GOP with a Garrison cohort injurious per se, but the relationship is all the more surprising in view of the fact that Toledano stated last year: "The question of Jim Garrison transcends politics . . . The persecution of Clay Shaw will go down in the history of New Orleans as one of our darkest hours. Every candidate should do what he can to see that Jim Garrison is defeated."

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## KENTUCKY: can Nunn name his successor?

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With the lack of interest in the nonexistent Congressional races in Kentucky this year, most of the political news and speculation lately has centered on the 1971 contests for Governor and other state offices.

The Democrats feel that they are on the rebound. Governor Nunn is not exactly a popular political figure. The state legislative elections in 1969 were the greatest defeats for the GOP since the early or middle 1950's. Nunn has also failed to build a strong party organization, concentrating instead on a personal one which he hopes will carry him to the United States Senate in 1972.

The Democrats enlarged their previous majority in

the General Assembly in 1969 and entered the 1970 session in full control. When the legislature adjourned in March, however, the majority party looked just as bad as Nunn. Democratic and independent newspapers such as the Louisville COURIER-JOURNAL, the Louisville TIMES, the Lexington HERALD, and the Covington POST all criticized the Democrats for failing to use their majority to meet the problems of the urban areas, of education, of environmental pollution, and of taxation. In other words, the Democrats blew a golden opportunity.

Perhaps the greatest casualty in the 1970 session was Democratic Lieutenant Governor Wendell H. Ford of Owensboro. Ford previously had been considered the "golden boy" of the Democracy; the candidate who could unify the party and sweep the Republicans out of the Statehouse in 1971. Instead, Ford came off looking and acting weak and indecisive, thus opening up wide the chances for the Democratic primary in May of 1971 to be a first-class donnybrook.

Surprisingly, the first major candidate to appear was Federal Judge Bert T. Combs, former Governor from 1959 to 1963. Combs tendered his resignation to the President and announced that he would open law practice in Louisville. Speculation on his intentions ran rampant through the state until it finally appeared that the "powers that be" in the Democratic Party had influenced Combs to run. He has stated that his intentions will be made public shortly after his resignation takes effect on June 6. With Combs in the race, most Democrats expected Ford to step aside "for the good of the party." Ford and Combs have been close in the past, with Ford serving as chief Administrative Assistant to Combs from 1960 to 1963.

Ford, however, does not appear ready to give up his claim to the statehouse without a fight. The Lieutenant Governor recently said that he would make a statement on his plans shortly after the Kentucky Derby. He is expected to seek the nomination, thus setting up the most bitter Democratic primary since 1963. The battle for the nomination may also draw other candidates who would hope to capitalize on the divisions in the primary. Other potential candidates include Attorney General John B. Breckinridge of Lexington, state Senator C. Gibson Downing of Lexington, and Kentucky Fried Chicken president John Y. Brown Jr. of Louisville.

Potential Republican candidates meanwhile have been relatively quiet. The Governor will probably make his choice known late in 1970 or early next year, while three major candidates jockey for position. Early in the speculation it appeared that United States Senator John Sherman Cooper of Somerset would return to Kentucky to seek the Governorship, but most Republicans believe this is no longer probable. The others now in contention include Frankfort attorney Thomas Emberton, member of the state Public Service Commission and a former assistant to Nunn. Emberton has also served as County

Attorney for Metcalfe County and state Chairman of the Young Republicans in 1967.

Another major candidate is state Highway Commissioner Eugene C. Goss, a Harlan attorney. Goss has impressed many observers with his administrative ability, but has yet to be tested in the political arena. Goss is probably the front-runner because of the patronage he controls as Commissioner of the largest department in state government. He has already begun to assemble a campaign staff and to make frequent "non-political" speeches throughout the state.

State Parks Commissioner W. James Host of Lexington is the third potential choice for the nomination. Recently "promoted" by Nunn from head of the publicly visible Public Information Department to the more patronage-oriented Parks Department, Host is an excellent speaker and efficient administrator. His largest drawback is a public image that stresses arrogance, a dangerous quality in independent-minded Kentucky.

All three possible candidates are young; between 30 and 40, and would be good candidates in November against any Democrat, although any Republican would be classified as the underdog at this time. A prime topic of discussion around Frankfort today is the rumor that the GOP primary in 1971 may be as bloody and bitter as the Democratic. Speculation has it that Host and Goss may both run for the nomination, regardless of the Governor's wishes on the subject. It is known that Governor Nunn and Commissioner Host have not been seeing eye to eye lately, thus opening the real possibility of a division within the Administration.

Outside of the Administration, growing discontent with the Governor's lack of leadership is beginning to surface. A number of counties, including many in the solidly Republican 5th District of southern Kentucky and crucial Fayette County in the Bluegrass, have refused to pay their dues to the Republican State Central Committee for 1970 in protest against the lack of action by Nunn and his hand-picked GOP state chairman, John Kerr of Lexington.

Part of this dissension surfaced on April 24 at a Republican county chairmen's meeting at Columbia in the 5th District. The meeting had been called by chairman Kerr and Fred Karem, a young assistant to Nunn, apparently to map strategy for the reelection campaign of GOP state Court of Appeals Justice C. Homer Neikirk of Somerset. At the closed-door meeting accusations against Kerr and Karem were made by several county chairmen, including Phil Aaron of Adair County, youngest GOP county chairman in the nation. The meeting broke up after the Frankfort attempt to set strategy was rejected by the county chairmen, all of whom support Justice Neikirk wholeheartedly.

As the dissatisfaction with Governor Nunn continues to rise within and without the party, the prospects for a strong primary improve. It appears that both par-

ties will choose their standard-bearers in 1971 from among a number of strong and determined candidates.

But, as a type of comic relief to the political battles of the major parties, voters in 1971 may also be able to vote for former Governor Albert Benjamin (Happy) Chandler of Versailles, an old Democratic turned independent warhorse who served as Governor twice, as United States Senator, and as national baseball commissioner. Chandler broke ranks from the Democratic Party in 1967 to support Republican candidate Nunn, and has recently announced his plans to run in 1971 as a conservative independent.

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## OHIO: scandal splits the gop ticket

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The top echelon of Ohio's Republican Party, already split by a bitter primary, is now being torn further by an apparent scandal.

As a result, Republican gubernatorial candidate Roger Cloud, now state Auditor, has asked the Republican candidates for state Attorney General (John Herbert) and state Treasurer (Robin Turner) to withdraw from the ticket. The two have thus far refused to quit.

The controversy centers around large "finder's fees" (estimated at \$500,000 to \$1,000,000 over the past eight months) paid to a leading Republican confidant for arranging the loan of state funds to private corporations. The amount of the loans exceeded the limit set by the state legislature by some \$20 million.

The loans were approved by the state Treasurer's office. Herbert, now Treasurer, insisted that he had no knowledge of the abuses and fired his top assistant for "lying" to him about the loans.

The "finder's fees" were paid to a small firm headed by Gerald Donahue, former Assistant Attorney General, campaign manager in Senator William B. Saxbe's 1968 campaign, and close friend of Herbert and of Governor James Rhodes.

A partner in Donahue's firm contributed \$15,000 to Herbert's primary campaign this spring for Attorney General (Herbert was unopposed) and \$7500 (in hundred dollar bills) to Turner's campaign (half of the money Turner spent). The firm also gave \$1000 to Cloud's campaign, though Cloud has now returned the money.

Cloud, as state Auditor, is still investigating the accounts. His call for the withdrawal of Herbert and Turner has the support of State Republican Chairman John Andrews and Cuyahoga County (Cleveland) Chairman Robert Hughes. As Hughes told the newspapers, "The one quality a Republican ticket in Ohio must have is integrity."

# Evaluating the Cambodian Operation

*A slightly shorter version of this statement, by Ripon President Josiah Lee Auspitz, was syndicated by the Washington Post on the Sunday following the President's April 30, speech.*

The contingency plan which President Nixon has now dusted off for a massive search-and-destroy mission into Cambodia is similar to those which he opposed courageously and publicly in November, 1967.

At that time, Gens. Dwight D. Eisenhower and Omar Bradley, on nationwide television, advised hot pursuit and an "end run" on Communist forces beyond the borders of South Vietnam. Within 24 hours, Mr. Nixon responded in careful but unmistakable language, dissociating himself from this suggestion.

An expansion of the war, he said, was not advisable at that time.

He was right in the fall of 1967, and the Ripon Society praised him for helping to prevent a possible escalation of the war, even at the price of differing with Ike. He is wrong to embrace this plan now, and the manner in which he has made his decision suggests that he is in danger of falling into the same kind of bureaucratic trap that caught President Kennedy in the Bay of Pigs and enmeshed Lyndon Johnson in Vietnam.

### **UNDERESTIMATED FACTORS**

The decision to go into Cambodia was doubtless presented to the President as a low-risk venture, as a quick surgical operation. American troops would clean out North Vietnamese base camps and then use this victory to gain a quick and favorable negotiated settlement.

But such a view of the Cambodian operation gives scant attention to the nature of the terrain, the problems of information flow into the White House, the implications for the Vietnamization program, the likely responses of other actors in Indochina, the global implications for American foreign policy and the consequences for the American economic and political institutions.

Mr. Nixon appears not to have considered these factors adequately. As a result, he has for the first time put himself in a position — which he can still reverse — in which he is the victim rather than the commander of his foreign policy bureaucracy.

1. **THE NATURE OF THE TERRAIN:** On the simple maps Mr. Nixon used in his talk, the operation looks very easy, but in fact the terrain is heavily over-

grown. The area north of the Parrot's Beak is forest on both sides of the border.

The Communist headquarters (COSVN) that U.S. troops are seeking to destroy has in the past been moved around on both sides of the border between Cambodia and South Vietnam. When COSVN was thought to be located on the Vietnamese side, it was subjected to B-52 raids and major ground sweeps, but it was not destroyed. If U.S. operations were not decisive on the South Vietnamese side of the border, there is no reason to assume they will be more successful in finding the camps on the equally overgrown Cambodian side.

### **ONLY TEMPORARY GAINS**

Even if the sweeps produce caches of weapons and high "body counts," they probably will not achieve their basic goal of improving permanently the American negotiating position. Suppose, for example, that U.S. forces succeed in killing half of the top 100 officers of the North Vietnamese army or finding massive supply depots. Communist activities would be disrupted, but a disruption of a few months will not change decisively the aims or capabilities of a 25-year-old Communist organization bent on unifying Indochina.

2. **INFORMATION FLOW:** It is doubtful whether the President can get an independent estimate even of the success of the military operation. There will be few independent press reports. The military reports will inevitably be biased by the high political risk to the President in undertaking this operation.

If the operation "fails," those who planned it can expect demotion, dismissal or retirement. Their response, if it follows human nature, will be to report success wherever possible and to find pretexts to get more time and resources if the results are inconclusive.

The Cambodian operation will be given six to eight weeks to succeed. By eight weeks at the latest, therefore, the President should abandon this operation — either as a success or a failure. An inconclusive result should be judged a failure, and he should take steps to assure himself of the accuracy of the information on which to base such a judgment.

The President in his speech made no mention of having independent means for evaluating this operation, nor has he taken public steps to punish dishonest reporting to the White House in the recent past. Before preparing his white paper on Laos, for example, the President sent out special instructions to all U.S. military and civilian agencies involved to report on

their past activities, public and private. They returned to him misleading information and concealed from him American deaths in combat. On March 6, the President read to the public a misleading report on combat deaths. When its falsity became apparent, Mr. Nixon had a "credibility gap," but no disciplinary action was taken against the career officials whose secretiveness and insubordination undermined the institution of the presidency.

**3. VIETNAMIZATION:** The areas adjacent to Cambodia (the Mekong Delta and Saigon) which the President now wants to protect have already been turned over to the South Vietnamese for defense. Indeed, the defense of the delta and Saigon by ARVN (the South Vietnamese army) has been publicly hailed by the administration as a sign of success of the Vietnamization program.

It is a contradiction of these past claims to suggest, as the President has, that the lives of American troops are potentially in danger in these "Vietnamized" areas. If ARVN is strong enough to mount an attack across the border, it should be strong enough to defend the Mekong Delta and Saigon.

The U.S. public can only conclude either that it has been misled about the success of the Vietnamization program or that it is being misled now about the reasons for the Cambodian operation.

### **RISK OF WORLD WAR**

**4. POSSIBILITIES OF WIDER INVOLVEMENT:** The risk of an all-Indochinese war is reduced by Mr. Nixon's unfortunate willingness to assume the far greater risk of nuclear confrontation. But should a wider land war develop, the roles played by Thailand, Red China and North Vietnam will be crucial.

**The Thais:** On April 21, the Thai premier announced that troops had been moved into position along the Thai-Cambodian border for "security" reasons. This suggests possible Thai occupation of the parts of Cambodia on which Thailand has a traditional claim, as well as Thai involvement in the lowlands of Laos, whose inhabitants are ethnically Thai.

**The Chinese:** They are building a road from Yunnan Province through northwestern Laos into Burma to give them an outlet to the sea for the export of raw materials. Should Thai or North Vietnamese armies move into this area, the Chinese might well occupy the territory needed to secure their road.

**The Cambodian and Saigon Generals.** Well before Mr. Nixon's speech there appears to have been at least a tacit understanding between the new Lon Nol regime in Cambodia and the Thieu government that the Cambodian army would pick a fight with North Vietnamese troops, which are better armed than the Cambodians and outnumber them by at least two to one. This would set the stage for support from

Saigon and probably would entrap the U.S. to make up the balance of forces and prevent a Communist takeover of Cambodia. But the present U.S. move against base camps does not meet the situation which the Lon Nol government has created. Even a successful U.S. move against COSVN headquarters will prevent neither the fall of the Lon Nol government nor the resupply of base camps from North Vietnamese controlled harbors in Cambodia. On its own terms, therefore, the operation requires more. At the very least, it will mean a continued South Vietnamese presence in Cambodia (to save Phnom Penh) and an American naval blockade of the coast. But even this is likely to create only an extension of the ground war into Cambodia rather than any definitive outcome.

### **UNCLEAR PURPOSE**

**The North Vietnamese:** Within the Nixon administration, two contradictory arguments seem to have been used to justify the Cambodian venture. On the one hand, it was argued that the North Vietnamese would be too weak to counterattack; on the other hand, it was asserted that Hanoi's forces were so strong that failure to move into Cambodia would lead to a rout of U.S. forces as they withdrew.

Both of these contradictory assumptions can be found in the President's address, and they give one an uneasy feeling of unclear purpose.

In fact, the North Vietnamese have a number of possible responses to the U.S. operation. They can take Phnom Penh; they can simply try to elude the Americans in the overgrown Cambodian terrain with which they are more familiar, or they can counterattack in areas of South Vietnam from which U.S. mobile units have been removed to free troops for the Cambodian operation.

The President's dark hints at the end of his speech about past crises in American military history suggest that he is planning to respond to North Vietnamese counterattacks by threatening a nuclear confrontation or a full-scale bombing of North Vietnamese cities, harbors and dikes. Should the Cambodian operation turn into a Bay of Pigs, Mr. Nixon may be drawn into a nuclear confrontation like that of the Cuban missile crisis ("Kennedy's . . . finest hour," the President called it).

### **LEGISLATIVE BITTERNESS**

**5. CONSEQUENCES FOR AMERICAN DEMOCRACY:** Secretary of State Rogers had publicly assured the Senate Foreign Relations Committee that he would consult with it before any new commitment of American forces. He did, indeed, appear before that committee last Monday, but he gave it no clear notice of the ARVN invasion of Cambodia on Wednesday or the American search-and-destroy operation Thursday. He thus showed a serious disregard for the

*— please turn to page 15*

## **A Solution to the Auto Insurance Mess**

The American consumer is restive and there are many good reasons why.

One of the reasons can be traced to what has been required, and not required, of private business by government regulatory bodies.

For too long a time, government regulation of business concerned itself with form and not substance, with rules, and not with results. It is part of a spotted past in which regulators zealously demanded that the business adhere to a prescribed manner of doing things without asking what was really being accomplished. In the insurance business, who really cared whether a certain adjuster was agreeing to pay claimants too little or too much? As long as the adjuster filled out all the forms properly, the regulator seldom asked questions.

That is changing. Last fall, when Governor Rockefeller asked the New York Insurance Department to study the present system of compensating victims of automobile accidents and to make recommendations for improvement, we saw our job as one which should break from what had been the traditional regulatory approach. We decided to measure what auto insurance was delivering and not delivering, against the standards which society should have for so important an institution. In other words, we wanted to see the results produced by auto insurance and, if necessary, to find ways to improve these results.

Now that study has been completed, and it recommends fundamental changes. Our report is entitled "Automobile Insurance . . . For Whose Benefit?", and it was submitted to the Governor on February 12, 1970. The report was endorsed strongly by the Governor. The report and implementing legislation are now subjects of legislative hearings being held in different cities in New York State.

**FAILURES OF THE PRESENT SYSTEM** The report examines the nature of the present system of handling the costs of automobile accidents and reviews its results. The two main constituents of the present system are, first, the common law of liability for negligence or fault, and, second, liability insurance. Hence we have called the present system the fault insurance system. What did we conclude about the results of the fault insurance system?

(1) *Slow Payment.* The Insurance Department's report finds the present system to be slow in paying

causes financial hardship and impedes rehabilitation. The average victim has to wait more than a year for a liability insurance payment — forty times as long as it benefits to automobile accident victims, a slowness that takes him to collect on accident and health insurance. The victim who has to sue encounters court delays up to five years in the urban and suburban counties of this State. The human situation is even worse than these statistics indicate, for the more serious the victim's loss the longer the delay.

(2) *Unpaid Victims.* The report finds that the fault insurance system denies compensation to many victims. One out of every four people injured in an automobile accident collects absolutely nothing from the system.

The reason is that the law of negligence, which governs the right to recover liability insurance benefits, requires the victim to prove that someone else was exclusively at fault. This means the victim cannot get paid unless he can prove someone else was to blame. Even then, the victim gets nothing if he himself was, to the slightest degree, negligent or at fault.

This rule of the fault insurance system — that payment turns on proving someone else exclusively at fault — has large consequences, not only for the one in four who is left out entirely, but also for everyone who has to deal with the fault insurance system. So let's look at that rule for a minute.

**FAULTS OF THE FAULT SYSTEM** Of the major lines of personal insurance, auto liability is the only one that makes you prove some stranger was exclusively at fault before you can collect from the insurance company. There is no such gauntlet to run in life insurance, health insurance, fire insurance, theft insurance or even in automobile collision or comprehensive insurance. Imagine how strange it would seem if the rules of the fault insurance system were extended to other types of insurance.

When you are ill you want your health insurance to pay your medical bills without requiring you to prove that your illness was caused by someone who carelessly sneezed on you on the bus. Nor would you tolerate a health insurer which sought to duck payment by claiming you would not have gotten sick if, right after the sneeze, you had run home and gone right to bed.

(3) *Overpayment of Small Claims.* The Insurance Department's report finds that the present fault insurance system pays the claimant with a small loss far more than the accident cost him. We are not alone in this finding. Preliminary data from the U.S. Depart-

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### **THE AUTHOR**

*Richard E. Stewart is Superintendent of Insurance for the State of New York.*

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ment of Transportation's extensive, current study of claim files shows that three out of every four New York claimants with economic losses under \$200 got paid more than double their economic loss through the fault insurance system.

The overpayment of these small claims, while called "pain and suffering" by lawyers and insurance men, typically bears no relationship to actual pain or actual suffering. It has a simpler explanation. The standard of liability and the measure of damages in automobile liability cases are vague and uncertain, leaving wide latitude for bargaining between the victim or his lawyer and the insurance adjuster. Only one percent of claims is decided by a court; the rest are bargained. To an insurance company the typical small claim has a nuisance value. The claim is overpaid to get rid of it.

**GETTING LESS FOR MORE** (4) *Underpayment ..of Large Claims.* The Insurance Department report finds that the present system deals far less generously with the seriously injured victim. When you cut through the rhetoric of the defenders of the present system, a rhetoric heavy with solicitude for the seriously injured, you confront the shocking fact that victims with large medical costs and wage losses do not recover from the fault insurance system even the full amount of their medical costs and wage losses.

These findings also have been confirmed by others. The most recent, as well as the most dramatic and best documented, finding as to the underpayment of the seriously injured is in the voluminous national survey of serious injury cases released this spring by the U.S. Department of Transportation. That survey found that the seriously injured traffic accident victim or his survivors were compensated, from all sources, for less than half of their actual economic loss; and that auto liability insurance contributed less than one-third of the reparations that were made — or one-sixth of the economic losses of seriously injured victims.

The reason for the underpayment of large claims is simple and is the corollary of the reason why the present system pays too much on small claims. The typical large claim is underpaid because the seriously injured victim cannot wait for his money and can be bought out cheaply.

(5) *Waste.* As if the failings already mentioned were not enough to discredit the present fault insurance system, the Insurance Department report goes on to trace what the system does with the consumer's premium dollar.

**HIGH, HIGH OVERHEAD** Over half of the money paid into the system goes to the overhead expenses of the system. And a very large proportion of what gets through the machinery is, as I

just discussed, misallocated, with too much going to small claims and too little going to large claims.

Specifically, the report finds that 56 cents of each premium dollar are kept by the insurance companies, insurance agents, insurance adjusters, plaintiff's lawyers and defense lawyers who operate the system. Of the 44 cents that go to victims as a class, 21½ cents go for other than economic loss, typically in overpayment of small claims. Another 8 cents go to pay over again economic losses that have already been compensated from another insurance source such as health insurance. That leaves only 14½ cents out of the premium dollar to pay for the net economic losses of the victims of automobile accidents.

That kind of waste might be tolerable — indeed the facts have been known and tolerated for a long time — if auto insurance were cheap. Once it was cheap. But no longer.

Nationally, consumers now pay a yearly auto insurance bill of close to \$12 billion. Today the average cost of the auto insurance which New York law compels every car owner to buy is \$125 per car per year. Today the typical car owner, who rightly decides that he has to buy more insurance than the law requires if he is to protect himself, pays \$250 per car per year for automobile insurance.

With the price of auto insurance high and rising, waste and inefficiency in the auto insurance system are less tolerable. The Insurance Department report predicts that the waste and inefficiency of the fault insurance system would be enough to doom the present system someday even if there were nothing else wrong with it.

(6) *Duplication of Other Insurance.* The Insurance Department report finds that the premiums which consumers pay into the fault insurance system often go to pay duplicate benefits.

**A BAD BUY IN BENEFITS** Many auto accident victims are entitled to payments from such sources as health insurance and income continuation plans. But under the fault insurance system, these other benefits are disregarded in setting the amount of a liability insurance award.

In a state like New York, where health insurance and wage loss insurance are very widespread and auto insurance is universal, the result is that a lot of people are paying duplicate premiums to support duplicate benefits. But duplicate benefits are a bad buy, because every dollar in auto insurance benefits costs \$2.25 in premiums.

If a person wants to pay twice, he should be free to do so. But why should his own government compel him? No one is saying it is not nice to get double benefits. The point here is that it isn't free. Premiums are not so low, nor people so rich, that the law should make anyone pay more than once for protection.

(7) *Traffic Safety.* Last year the automobile killed 56,000 Americans. That is more American deaths in one year than in the Vietnam war since its beginning. Last year the automobile injured 4.6 million other Americans. That is four times the number of Americans wounded in all of World War II.

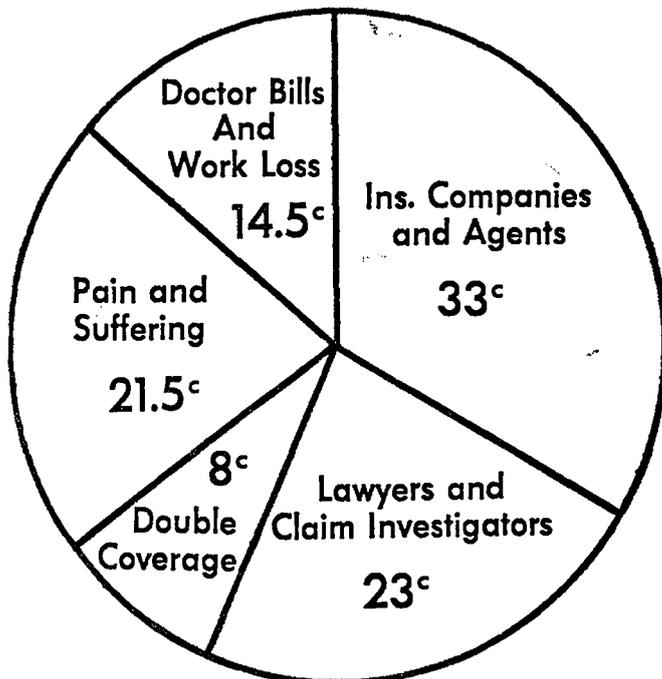
Against that gory background, some defenders of the fault insurance system still insist that the present system somehow deters unsafe driving. That is nonsense. The Insurance Department's report points out that under the present system the standard of legal fault is vague; determinations of fault are made long after the event; the extent of liability is in no way proportional to the degree of carelessness; the liability is not just of the driver but of the vehicle owner whether or not he was driving; and, most important, the liability is insured against.

Automobile liability insurance is compulsory in this State. The wrongdoer, assuming there is one in an accident and his fault can be proved, does not pay. The insurance company pays. Through premiums, we all pay.

What is the cause of all the defects that have been mentioned? What kind of change is necessary to get at those defects?

**WHY PRESENT SYSTEM FAILS** The Insurance Department reports traces the operating defects in the present system to the system's most fundamental principles and to an irreconcilable conflict between those principles.

## THE INSURANCE PREMIUM DOLLAR



The present fault insurance system is based on the common law of negligence or fault. The law holds that a person who has suffered a loss can recover damages from another person only if he can prove that that other person was exclusively at fault and can further prove that the faulty act was the cause of the loss.

The legal rules, which antedate the invention of the automobile, were not designed to compensate accident victims. They were designed to make wrongdoers pay for what they did.

The purpose of the legal rules has been undercut by the development of liability insurance, which every car registered or driven in this State has to carry. Liability insurance is designed to do nothing more than reimburse wrongdoers for what they might have to pay for negligently causing damage to another. If the law of negligence is designed to make sure wrongdoers pay, liability insurance is designed to make sure wrongdoers never pay. In this conflict, liability insurance has prevailed. It has rescued the wrongdoer. It assures that any cost which the law would shift to a wrongdoer shall be immediately lifted from him.

But if liability insurance has undercut the law of negligence as far as it concerns making wrongdoers pay, the law of negligence has prevailed in determining which victims shall be paid. The law of negligence lets the victim collect from the insurance company only if the victim can prove that the insured was exclusively at fault.

It is no wonder that such a system fails both the accident victim and the insurance consumer, and it is of the utmost significance that the failures of the present system are traceable to its most fundamental principles.

### A NEED FOR BASIC CHANGE

Over the years, New York and other states have repeatedly tried to patch up one or another of the defects in the fault insurance system without challenging its fundamentals. An important finding of the Insurance Department's report is that such steps will not in the future yield useful results. After analyzing such palliatives as small claim arbitration and comparative negligence, the report concludes that "further attempts to modernize the fault insurance system by tinkering with it, while leaving its essentials intact, are sure to be expensive and self-defeating."

The defects in the present system are indeed fundamental. The key to real improvement is fundamental change. The essence of sound, fundamental change has to be (1) the discarding of case-by-case determinations of legal fault as the prerequisite to payment, (2) the replacement of vague and indeterminate measures of damages with clear and objective measures of compensation, and (3) the elimination of the conflict of

purpose between accident law and accident liability insurance.

A proposal for fundamental change would abolish negligence law claims and lawsuits based on the operation of motor vehicles in this State. It would require that every vehicle owner carry insurance to protect the occupants of his vehicle and pedestrians hit by his vehicle. Insurance benefits would be payable without requiring the claimant to prove that anyone else was at fault. The compulsory insurance would pay full compensation to all victims for net economic loss resulting from personal injury, such as medical expenses and income loss, or resulting from damage to property other than automobiles.

The proposed compulsory insurance would pay considerably more in cases of serious injury than does the present one. It would pay faster, with less haggling, and its benefits would be paid periodically rather than in a lump sum — all qualities that would help the victim get the money and the care he needs when he needs them.

It is useful to note that while the proposed compulsory insurance would provide generous benefits, it would compensate only for economic loss and only for that economic loss not already compensated by some other, more efficient kind of insurance. The reason is simple. We are talking about compulsory insurance, about the coverage that everyone is required by law to pay premiums for. In our judgment, government should exercise that kind of compulsion on its citizens with restraint.

**INSURANCE FOR YOURSELF** Of course, the Legislature would always be free to change the level or types of benefits provided by the proposed compulsory insurance. For the proposal would set up an insurance system that would be amenable to rational decisions by the makers of public policy as to the best balance of costs and benefits. The changes from fault law to compensation, from vagueness to precision in measures of awards, from insurance for strangers to insurance for yourself, from waste to efficiency, from complexity to simplicity — all are basic to real reform. But, the level of benefits and the consequent level of premiums within a reformed system are not basic, and would be proper subjects of continuing legislative review.

For example, while we have recommended that a reformed system provide unlimited compensation for net economic loss, the Legislature might reasonably decide to set limits on that compensation in order to hold down premiums for the compulsory insurance. In the other direction, while we have recommended that compulsory insurance under a reformed system cover only net economic loss, the Legislature might reasonably decide it was worth the extra premiums to include, in the compulsory coverage, benefits for cer-

tain objective though non-economic consequences of an accident, such as dismemberment or loss of function.

While I have confined this discussion to compulsory insurance, it is useful to keep in mind that consumers would remain free to buy additional coverage if they wished. Four out of every five people injured in an automobile are members of the car owner's family. Under the proposal, the car owner would be buying insurance largely to protect himself, his family and his car. He would be in the best position to decide what he needed and what he could afford and he could afford more under our proposal than he can under the present system.

**PREMIUMS WOULD COST LESS** The proposal would reduce premiums substantially, both as to compulsory coverages and as to the combination of compulsory and optional coverages which the typical motorist might be expected to buy. The consumer would see less of his premium dollar eaten up by the operating expenses of the system. He would see a fairer share of his premium dollar going to pay for net economic loss — 57 cents as against 14½ cents today.

The Insurance Department's actuaries estimate that the proposed compulsory insurance should cost the average consumer about 56 percent less than compulsory automobile insurance costs him today. For the typical driver who buys additional coverage today on an optional basis, comparable coverage under the proposal should cost 33 percent less.

The proposed change in auto insurance would have no effect on the rates charged for health insurance, disability income insurance or any other coverage which would be primary to auto insurance. Those insurances pay auto accident victims today and they would continue to do so under our proposal. The difference is that our proposal would eliminate duplicate payments, which is one reason it would bring auto insurance premiums down.

Our report also discussed highway safety. It found that the fault insurance system protects careless drivers better than accident victims. It does not and cannot deter unsafe driving or otherwise promote highway safety. By contrast, the proposal would reinforce highway safety efforts in several ways. It would permit the accident compensation system to yield undistorted data for use in systematic approaches to highway safety. It would impose special cost burdens on drunken driving and would give commercial vehicle owners an economic incentive to improve driving conditions for, and to promote safe driving by, their employees.

**ENCOURAGING A SAFER CAR** The proposal should also advance traffic safety by enabling insurance premiums to vary as among makes

and models of car, according to each car's ability to protect occupants and to resist damage. Insurance premiums could then, for the first time, be used to encourage car makers to make safer cars. That can only be done if the car owner is insuring his own car, rather than insuring some car he will run into and whose make and model obviously cannot be foreseen. It is ironic that when the State's largest auto insurer, a vigorous opponent of reforms such as we propose, recently announced a premium discount for sturdier automobiles, the insurer proposed the discount only on collision insurance — a first-party, no-fault coverage that would be the main insurance for vehicle damage under our proposal.

Predictably, our proposal has met fierce resistance. Some people have an immense interest in seeing to it that the fault insurance system — the system we have today — is what we have tomorrow. Let them defend it for as long as they can. But they cannot defend it forever.

Tottering institutions out of touch with the needs of the people they profess to serve, however formidable and entrenched, eventually fall. Special interest can obstruct change for a time. But change will come. Eventually change always comes. Here at least we have all had ample warning and a chance to influence what is bound to happen.

—RICHARD STEWART

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## Cambodian Operation — from page 10

prerogatives of elected officials and for constitutional procedures.

Even if the Cambodian operation is "successful," it may subject Mr. Nixon to such bitterness that the Republican leadership will have to be extraordinarily resourceful to avert a permanent breach between the Executive and Legislative Branches.

6. THE ECONOMY: In March, 1968, before President Johnson's speech of withdrawal, European investors lost confidence in the dollar as a result of rumors of Vietnam escalation. An international financial crisis ensued. It was ended when the United States negotiated a two-tier price system for gold and gave assurances to European central bankers on the future course of the American economy. A prolonged American presence in Cambodia could produce a new crisis of confidence.

Pierre Rinfret, Mr. Nixon's economic adviser during the campaign, put it well on April 29: "If Cambodia accelerates and they accelerate Vietnam, you are witnessing the end of the American economy as we have known it. We will have the worst of all worlds — high inflation, high money rates and high unemployment."

7. THE GLOBAL PERSPECTIVE: This overrid-

ing defect in the President's three speeches on Vietnam was that they failed to put the war into clear perspective in the global context of U.S. foreign policy. The President has perpetuated the notion that the United States and Hanoi are engaged in a contest of will and bluff — in a poker game — and that if Washington appears to lose, its commitments everywhere in the world will be in jeopardy.

In fact, the United States is engaged not in a poker game, but a chess game. Its major adversary is not Hanoi but Moscow; North Vietnam is but a corner of the board. And while American resources and attention are occupied there, Moscow is able to pick up pieces in the Middle East, Africa, Europe and Japan.

## UNDERSTATED LIMITS

The only way President Nixon can regain control over this situation is to impose strict limits on the incursion into Cambodia. White House briefings have defended the operation as focused on a target within 20 miles of the border — one which can be captured or destroyed within six to eight weeks.

But these specific limitations were not in the President's speech, nor, to all appearances, have they been made operational in orders to the military. Nor have they been made credible to foreign powers capable of widening the war.

This gamble has got to be sharply defined and limited, and its results coldly evaluated over the next eight weeks. If the President doesn't do this, the Congress should.

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## The Crisis in Confidence — from page 18

possible geopolitical advantages in the war must be seen as pitifully small.

### END THE WAR

I have spoken of the political process as an essential instrument of our freedom. Americans must now use that instrument to end the war. The objectives should be:

1. To withdraw all U.S. forces from Cambodia now.
2. To avoid further escalation *in any form*.
3. To achieve an orderly termination of our presence in Vietnam within one year.

These are measures now before Congress which embody these objectives. Citizens should communicate with their Senators and Congressmen to express their views. There should be a concerted effort to support candidates in the 1970 election who will oppose the war and will work and vote to end it as soon as possible.

But it is not just a question of bringing our boys back from Vietnam. It is a question of what kind of country we are bringing them back to. The end of the war will be only the beginning of the healing of this nation.

## **A Package of Progressive Issues**

I think that the hope of the country — and of the world — rests now with a newly formed coalition of concerned Republicans and Democrats in the Congress. We have had for a long time now a well-oiled coalition of conservative Republicans with still more reactionary Southern Democrats. The liberal coalition is a new thing.

American politics is man-oriented rather than issue-oriented. There is right now no single figure who symbolizes all that we want and need. But there is a package of issues. If that liberal coalition would be willing to bring out that package of issues, the whole country could gather around them. You could forget about campus unrest and a lot of other troubles. All our young people, all our minorities, all the dispossessed and disenfranchised could take heart.

I've heard of Mr. Nixon's — or is it Mr. Mitchell's — so-called Southern Strategy. It calls upon all the worst things in American life. I want something to compete with it that calls upon the best things in American life. It is a strategy for America.

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### **GUEST EDITORIAL**

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What is it? It comes as a group of don'ts and do's — things to stop doing and things to do.

Let's start with the don'ts:

1. Get out of the Vietnam War — fast and completely.

2. Repeal the draft. A peacetime draft has no place in American life. We never should have started it. It's incompatible with everything America means. We have to get rid of it.

3. Cut back the size of the armed forces. They are now at 3.5 million. If there is an argument for having more than one million men in uniform, I would like to hear it.

4. Cut back the military budget. How far? Robert McNamara said it could be cut to about \$60 billion with no loss in our defense posture. When it was about \$45 billion, ex-President Eisenhower warned the country of the military-industrial complex. So cutting it to about \$50 billion would be a beginning, and we could go on from there.

That would give us some money with which to begin to satisfy human needs — and so now for the do's:

1. Housing — we're way behind on it. So lots of housing, and better, and lower-cost.

2. Schools — lots of them, and better; and much larger support for education.

3. Food — more of it, and better. All the classic nutritional diseases that we got rid of twenty to thirty years ago are back again. There is hunger in America — some 10 to 15 million persons — including children — live hungry lives.

#### **THE CLEAR WATER REVIVAL**

4. Decent water to drink. The water most of us drink isn't fit for people, or even fish. You can hardly get it down.

5. Decent air to breathe. No smoke, not smog, not a suspension of dirt. Air.

6. Public transportation. Cars are most responsible for our air pollution. You need a car nowadays to get to work, often even to get to school. Our public transportation has gone down the drain. A few years ago Americans were willing to buy Mussolini because he had made the trains run on time. American trains stopped running on time long ago. So more trains, better and faster; and many more buses; and many fewer cars on the roads.

7. Open beaches. In Great Britain all beaches belong to the Crown, and all are open to the public. You can't shut off access to a beach in Britain. That's the way it should be here.

8. No unwanted children. The population explosion threatens the quality of all our lives. It must be brought under control. This is the first step. It's no favor to be born unwanted. We need cheap — preferably free — legal and universally accessible contraception and abortion.

#### **MORE YOUTHFUL VOTING AGE**

9. To help get all those things: lower the voting age. How about starting at 20? When we've tried that, go to 19? Or go to 18 right off. But go. So that's it.

A program for America. Hope for the young. A new life for all of us. And Congress can do all of it. And we'll pay for it. We'd rather pay for that than what we're paying for now.

A program needs slogans. I'd like to suggest some.

A better world for children.

America is our home, not a business. Not a business to exploit, but a home to live in. We've never treated it as our home. It's high time we began.

## The Crisis in Confidence

The extraordinary reaction to the Administration's Cambodia decision was more than a difference of opinion on the war. The suddenness of the decision, the lack of consultation with key leaders, the evidence of internal differences within the Administration — all brought to a climax the growing crisis of confidence in our leadership.

A great many informed Americans believe, justly or not, that the President is isolated, that he is not adequately exposed to reasonable opposing views. They believe, justly or not, that he has not offered the level of moral leadership which we so need. They believe, justly or not, that he has given undue sanction to members of his administration who seem committed to divisive courses of action, and undue attention to advisors who give him a distorted view of reality.

The President has two and three-quarters years remaining before the end of his term. It is essential that in those years the nation be governed by a man who is in touch with all segments of American opinion, a man who does not feel trapped and beleaguered, a man who easily hears and listens to conflicting views, a man who understands that people in power usually have deep complicity in their own isolation.

### A NATIONAL FAILURE

But I am not interested in indicting the President, because I believe that virtually all of us have failed in our duty as Americans. The failure goes to every level and phase of American life: drug addiction in the slums and corruption in high places; crime in the streets and corporate fraud; personal immorality and betrayals of public trust.

And while each of us pursues his selfish interests and comforts himself by blaming others, the nation disintegrates. I use the phrase soberly: the nation disintegrates.

We face two overriding tasks. We must move vigorously to solve our most crucial problems. And we must heal the spirit of the nation. The two tasks are inseparable. If either is neglected, the other becomes impossible.

The crisis in confidence is deepened by the divisiveness that afflicts the nation. Today's divisiveness is

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#### THE AUTHOR

*This editorial is adapted from an address by John W. Gardner prepared for delivery at a Plenary Session of the Illinois Constitutional Convention, Springfield, on Wednesday, May 13, 1970. Mr. Gardner, former Secretary of Health, Education and Welfare, is head of The Urban Coalition.*

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not confined to one issue or one set of antagonists. There are multiple points of conflict — the war, race, the economy, political ideology. There are multiple rifts — between old and young, between regions, between social classes. Around these rifts we have seen hatred and rage, violence and coercion at both ends of the political spectrum. And matching the violent deeds we have had provocative and ill-considered statements from those in high places. Official statements and policies which feed the fires of regional suspicion or racial antagonism or the tensions between young and old may be as destructive as a bomb tossed through an open window.

### DISINTEGRATIVE FORCES

If one considers the whole range of conflict — ghetto riots and shoot-outs, campus violence, widespread bombing and arson, school buses overturned by raging adults, and the chilling recent clash between construction workers and radical youth — if one reflects on that full range, one must conclude that we are dealing with disintegrative forces that threaten our survival as a society.

One might suppose that as extremists become increasingly inflammatory, moderates would close ranks and oppose them. But just the opposite is occurring. The moderates begin to take sides against one another. We all become a little readier to grow angry, a little readier to identify villains, a little readier to resort to violence ourselves.

Lest this give the impression that moderates are victimized, it must be said at once that most of them have a secret complicity in the activities of the extremist. The moderate conservative does not explicitly approve of police brutality, but something in him is not displeased when the billy club comes down on the head of a long-haired student. The liberal does not endorse violence by the extreme left; but he may take secret pleasure in such action when it discomfits those in authority.

### ALL THE KING'S MEN

In short, extremists often enjoy tacit support from the moderates nearest to them. Thus does a society tear itself apart.

Most Americans want to hold the nation together. But I do not meet many who are willing to do the hard things that are essential to that end.

That means that we must support leaders prepared to bring about constructive change. We must reject leaders who will not seek change, and reject leaders who use the rhetoric of change but refuse to make the hard decisions that will move us on to new

solutions. We must examine every one of our institutions to see where reform or structural redesign will help it adapt to contemporary needs. Not least among such targets of change I would list the Congress of the United States.

Second, we must put an end to the deliberately provocative words and acts that feed the flames of conflict. We must isolate the small segment of our population who are practitioners of violence and coercion. We must discipline policemen and members of the National Guard who exceed the bounds of disciplined law enforcement. And we must reject leaders who exploit our anger and fear and hatred.

### **RESPECT FOR PROCESS**

Finally, every citizen must support the established processes of the society — legal and judicial processes, the ballot, civil liberties. We must strengthen those processes and make them worthy of our confidence. We must act firmly against those who would destroy them.

But it is not enough to call people back to a respect for process. It is necessary to examine the frustrations which may have produced the loss of faith. Institutional failures invite alternatives that may ultimately destroy the institutions.

We find, for example, that due process of law does not always exist for some of our minorities. If we want them to respect the process we must make it worthy of respect.

Similarly, doubts as to the integrity of the legal and governmental process arise when federal officials are deliberately lax in their enforcement of civil rights laws or make public statements that create an atmosphere of ambiguity around those laws.

But the process available to a free people that is most seriously neglected today is the political process.

The notable fact about civil tumult today is not that a few fanatics start it but that larger numbers of peaceable people tolerate it and lend themselves to it. Behind that sympathy with disorder is usually frustration and a sense of impotence. It stems, at least in part, from people who want to have their say and feel that they have not been listened to, who feel that they have suffered injustice and have been denied redress, and who feel that in matters of self-government they have been lulled with rhetoric and denied effective power.

The solution lies in giving them outlets *within the system*, that is, in providing them constructive paths of action.

### **DON'T SCORN POLITICS**

*Such paths are available.* I want to talk chiefly about one such path — the political process. Many dissidents who resort to disruptive tactics say "We

*tried working within the system,"* but most have not in fact tried very hard, certainly not within the political system. And in this they reflect a failing of the American people generally, we have typically scorned politics and neglected the political process. And by that neglect we have not only denied ourselves the most significant path for effective action, we have allowed the public process to decay.

We can't understand our current frustrations if we look only at specific substantive goals in education, housing, employment and the like. What is not working is the process and the mechanisms which should serve us in achieving all of our goals.

It is precisely in the political forum that free citizens can have their say, trade out their differences, and identify their shared goals. Where else, how else can a free people orchestrate their inevitable conflicting purposes?

It is essential that we bring about a renaissance of politics in this country. We must open up clogged channels. We must bring a vitality to political life that will attract good men and women. We must repair rusty and outworn machinery. We must renew the system.

### **THE PRINCETON BREAK**

In our present crisis of confidence, both college students and faculty members are beginning to look to politics. A year and a half ago I urged in a national magazine that college students who wished to work within the system should address themselves seriously to the political process — but at that time they were not ready. Now they are. One of the most hopeful signs of recent days has been the action of Princeton University in declaring a two-week break before the November elections. I urge other colleges and universities to follow suit, so that students may express their views through conventional political channels.

But it is not just our young people who must recognize the value of the political process. Citizens generally — from every part of the political spectrum — should give far more attention to every phase of that process. Some should run for office. Others should become involved in the machinery of their party (and try to change it for the better). Some should engage directly in lobbying. Some should give money and time. Others should undertake to influence public opinion in behalf of the causes that interest them.

It is precisely to the political process that we must turn in order to end the war in Southeast Asia. At this moment, the war is the most divisive element in our national life. Nothing we are doing to help or harm our friends or foes in Southeast Asia can compare to what we are doing to ourselves as a nation. The erosion of spirit that we have experienced is beyond calculation. Weighed against that erosion, any

— please turn to page 15

# Decentralizing the City School System

America's current attitude toward the public schools in cities versus those in suburbs is inconsistent. We permit and advocate decentralized community-controlled public schools in the suburbs while at the same time advocating centralized non-community (in any meaningful sense) public schools in our cities. Surely if the argument in favor of this dual system is based on either management efficiency or community equity, it must be inconsistent. The only other rationale for the present arrangement would be the ethically and empirically untenable position that somehow those who reside in cities are unable to manage their local affairs while those who live in suburban and rural areas are able to do so.

I would like to propose what I see as a short-term but reasonable, efficient and equitable alternative to the present system, which consists of decentralizing the city school systems and returning them to local control with state and federal financial subsidies.

At present every state and locality is likely to underinvest in education (lower or higher), since 40 percent of the state educated and 80 percent of the locally educated students will leave the area after having completed their education.

### SHARING THE COST

I would therefore advocate a financial scheme in which the federal government pays 40 percent and the state government pays 40 percent of what is calculated to be the minimum cost of an adequate education in the area (or the average cost of an average level of education in that area of the country). The local governments would thus have a greatly reduced financial burden, which would be especially important for the fairness and success of the program in areas of poverty.

As to the advantages of decentralization, which are manyfold, let me enumerate the follow-

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#### THE AUTHOR

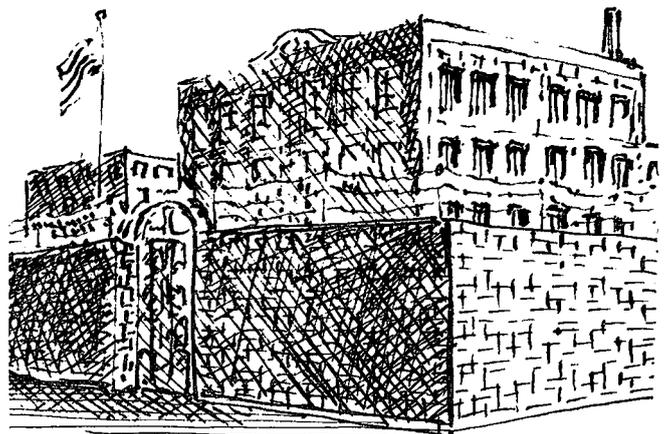
*Ronald E. Grieson is Assistant Professor of Economics at the Massachusetts Institute of Technology.*

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ing: The restoration of a sense of community and civic participation within the city; a lessened use of private schools by parents desiring to escape the present city school systems; a movement back to cities of those families whose only purpose in leaving the city was to send their children to a quality locally-controlled public school and to live in a community with a sense of civic pride. Decentralization would permit ghetto communities to pay higher salaries to the teachers who are most able to meet the educational, cultural and social needs of the ghetto (rather than being saddled with the inexperienced and otherwise "punished" teachers of a large city system). This would in no way mean that pupil exchange would not take place between the ghetto and non-ghetto city schools — as is now taking place between ghetto and suburban schools.

It is, in fact, my hope that someday America may be sophisticated and mature enough for a system of private schools, publicly financed through scholarship (scaled by family income), in which parents would choose their children's schools not by color of skin or ethnic background but by interests, abilities and personalities of their individual children. As I say, this is a hope for the future and recognizing the realities of the day I offer urban decentralization as an equitable, efficient and reasonable policy.

—RONALD E. GRIESON



# Inflation in the Price of Freedom

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*The Information War*, by Dale Minor, Hawthorn Press, New York City, 1970, 212 pages, \$6.95.

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To the New Left it is the Establishment's mouth-piece. Black Panthers call it "white" and "racist." And at the opposite tip of the political horseshoe, the far right soaks it in pejorative language like "liberal," "integrationist" or "pseudo-intellectual." The Fourth Estate is in trouble in America.

It has been in trouble for some time, from without as well as within. Newschief Fred Friendly resigned his post in 1966 when CBS decided to carry reruns of "I Love Lucy" rather than the Senate Foreign Relations Committee's hearings on Vietnam. Two years later, coverage of the Democratic National Convention in Chicago stirred up a hurricane of public controversy. But the trouble has escalated in recent months, particularly since Vice President Agnew's Des Moines and Montgomery speeches criticizing the media. All lingering doubts that the stalwart middle, the silent majority, might not join the ranks of those dissatisfied with news reporting have vanished. And even among those who consider themselves non-radical liberals, how many would give more than a dime to support his local press?

The reason that the media are in trouble is, of course, that the nation is in still deeper trouble. Its very leadership, current and prospective, is split as to which of two romanticisms to follow: a romanticism of the past, of post-Depression America with its heedless consumer affluence and international Pax Americana, and a romanticism of the future, where love will gush forth at the mention of the word and guaranteed income will do away with the necessity of repairing cynicism, TV sets or anomie.

In *The Information War* journalist Dale Minor provides few specific solutions to our national dilemmas, nor to the structure of the peripatetic mass media. What he does do is put together a stark collage of the plight of the media in days when mass bureaucracies control our foreign policies and internecine tribes our domestic emotions.

At one level Minor spins out mainly the truisms of pragmatic political philosophy. For instance, that "democracy by its very nature can never be a well-oiled and thoroughly efficient machine, that freedom has its price, and that the price of freedom like the cost of living can rise to seemingly unbearable heights." But the real point his book illustrates, and does so very comprehensively, is that in pragmatic politics (as opposed to pragmatic political philosophizing) the freedom to know is often sold-out long before its price has become even seemingly unbearable.

Minor is most acute when he deals with government handling of news in military and foreign affairs.

For reasons of security, whether real or fantasized, the government, says Minor, is in the business of managing information — from the Bay of Pigs and the nerve-gassing of sheep in Skull Valley, Utah, to the battle of Ap Bac in the Mekong Delta and the military intervention in Santo Domingo. One case may involve blatant suppression of information, another subtle delaying of its release or distortion, but the cumulative impact is clear: a huge government "Snow Machine" assuaging the anxieties of public opinion at home and abroad at costs of around 400 million dollars a year.

Information management, in Vietnam or elsewhere, is not, as Minor sees it, the exclusive product of a few top officials in Washington; like any other "war," it is nourished by the frailties of entire groups of men. Whereas the day-to-day survival of the press depends on a continual surplus of bad news, to the company commander or public information officer in Vietnam, passing negative reports up the hierarchy is not likely to win him a quick promotion. And so an almacabala, a magic numbers game, of body counts and kill-ratios is readily devised. Those measures and statistics which look good are used most. To cite one of Minor's examples, heavy casualties in an isolated platoon can be listed as "light" at the battalion level; it all depends on the reporting unit.

This brings us to the role of media correspondents in reporting on the progress of the Vietnam engagement. Minor hardly depicts this role as a faultless one. Indeed it is usually to the reporters' advantage to form a symbiotic relationship with the public information authorities of the military. Vietnam correspondents must approach the formal news releases, the calculated "trial balloons," and other processed spawnings of the Snow Machine with at least a modicum of seriousness. Otherwise they may lose out to their peers in shuttling the news — some news, *any* news — out of Hue or Danang to network headquarters.

Reporters, in short, can also forfeit that quick promotion. As a consequence the hardened-but-quiet-but-cynical journalist is no rarity on the U.S. foreign ventures beat. Built-in psychic dentures can hamper his own free speech.

Needless to say, Vietnam represents only one battle front within a vastly more encompassing "information war." In fact the bulk of Minor's volume is devoted to the domestic scene in news reporting. In a chapter entitled "Beat the Press," Minor discusses not a Sunday public service program or an afternoon game show but what happened to media personnel during the Chicago convention. And in other sections of the book, he focuses extensively on the commercial and show-biz underpinnings of the media. It is due to these, he suggests, that the mass media can claim substantial partnership with government in manipulating, censoring and

distorting the news.

Yet in large part Minor's treatment of the plastic, buck-based entrails of the media is simply a condensation of what has been hashed and rehashed over the years by innumerable social critics, national commissions, and ex-newsmen. The story has by now become straightforward, even when the reality it describes is highly convoluted. Superimposed on the news media's constitutional imperative to act as a reliable data-gathering system for a democratic policy are layers and layers of extraneous, institutional concerns. How to capture the reader's or viewer's prolonged and habitual attention; how to encourage program sponsorship and facilitate program production; how to gain the largest share of the broadcasting audience or local newspaper market; how to insure license renewal: these have become the principal operational parameters of the mass media.

The caricaturesque output that emerges from the media as a result of these constraints is equally predictable. TV, for example (the watching of which consumes more of our national time than gross gainful employment), presents miles upon miles of glazed footage, in which no one dies from smoking too much, where the possibility of more than two positions on an issue is inadmissible, and where "riots" stem from irrational impulses and not specifiable, long-standing grievances.

To stick with television for a moment, "One cannot conceive," writes Minor, "of 'Dragnet' or 'Adam-12' approaching the question of policemen and their work from any but an inside, public-relations viewpoint." This is true despite our grave national unrest.

But what would the networks have to give up in rectifying the situation? In the above instance, it would undoubtedly be the cooperation of the Los Angeles Police Department, thereby increasing program production costs, and perhaps also a segment of their audience, thereby reducing advertising revenues. Alternatively, how far can the contemporary newscaster go in presenting police work objectively, given the viewer's predisposed "glamor" image of the police as a result of the cops-and-robbers serials? Obviously, not very far. In the final analysis even the individual patrolman is disserved.

In sum, while the news media are being faced with an increasingly complex world of domestic and international events, they remain umbilically tied to their corporate purse strings and to atavistic modes of news presentation. They have yet to find a way to survive that would reduce their need to personalize issues and to dramatize, even stage, events. In the meantime a beserk instance of murder or the President's asides on the weather can be counted on to receive more coverage than "an important school bond issue or a story on the failures and inequities in a welfare program," which are likely to be relegated to deep inside-page oblivion.

Similarly, even when the media expose government or corporate irresponsibility, they are more likely than not dependent on those they are criticizing or on other external "experts" for their initial source of facts and

viewpoint. Or, as columnist Jack Newfield asked at a recent Yale Political Union symposium on American TV, "Why is it that I. F. Stone and Ralph Nader get more scoops than the whole NBC empire?"

Perhaps Spiro Agnew was right in pointing to newscasters' penchant for instant analysis. Given their institutional environment, a purely reactive approach to news happenings is often the best they can do. But the punchlines of Minor and Agnew are nevertheless irresolvably different. Whereas the former wants to make journalists more competent and independent, the Vice President has implicitly called for their subservience to the Nixon Administration and its policies. Pretending objectivity, he remains a sly combatant of the information war, where entire battles verge on pinpoint timing of "news leaks" and the pre-emption of the adversary via diversionary images and pseudo-events.

Minor, for instance, openly speculates that the Vice President's Des Moines and Montgomery speeches were planned to coincide with the activities surrounding the Moratorium march on Washington. Not only did Agnew directly steal news-space (or -time, depending on the medium) from the marchers but also put pressure on the media themselves to tone down their coverage.

At present it appears that the media have acquiesced to at least some of Mr. Agnew's criticisms of of their practices and to the strong public support he received in casting them. This does not, however, mean that the media have become lame duck participants in the war for the hearts and minds of the domestic public. Their quid will become increasingly more potent as election time nears and image-seeking politicians reaffirm their essential brotherhood with the tube and the printer's ink.

Upon concluding Minor's *The Information War*, one is left with the distinct impression that what has been detailed is a series of games which two elites, the government and the press, play internally and with each other. At times the relationship of these two giants is cooperative, at others adversary. But the overall process bears slight resemblance to that other game called democracy, which the early Greeks as well as the signers of the Constitution saw as a clearcut alternative to autocratic rule. At its best the information war suggests a kind of residual democracy by institutional proxy, but in most circumstances it is immersed in the labyrinthian realities of bureaucratic tail-chasing and corporate self-indulgence.

Unfortunately no one has yet produced even the barest outlines of a blueprint of how large institutions like the government or the mass media can deal with complex, often technical issues without losing touch with basic democratic values. And so the people, virtually all the people, are, like the Vietnamese peasants, becoming progressively more skeptical of both sides: government and the media. Which would be alright if the modern cost of their right to know were not meanwhile escalating by leaps and bounds.

—K. K. KALBA

# 14a ELIOT STREET

● Former Ambassador **Henry Cabot Lodge** joined the Cambridge chapter for an informal luncheon May 4. Mr. Lodge answered questions about a wide range of foreign policy matters, including his service in Saigon and at the peace talks in Paris.

● The New York chapter's Community Affairs Committee is planning a program of legal consulting services to community organizations in ghetto areas. In addition the committee chairman, **Werner Kuhn**, hopes to form a task force that will investigate New York City and New York State's participation in cultural matters in the City — what is being done to aid and strengthen cultural activities and how available they are to all of New York City's residents. Another task force will work on the total addiction problem in New York and the U.S. It will prepare a report tying the presently fragmented addiction area into a comprehensive and coherent whole.

● Former FORUM editor **A. Douglas Matthews** served as main coordinator of a special environmental clean-up effort to tidy up 35 miles of the Charles River banks. The project was headed by **John Sears**, Boston Commissioner of the Massachusetts District Commission.

● The Seattle chapter's 3rd Anniversary Dinner was held on May 6. Billed as a "Non-Violent, Participatory Confrontation Dinner Party," the fete gathered over 75 people at a local French restaurant. Senator **Mac Mathias**, the scheduled speaker, had to bow out at the last moment, but Attorney General **Slade Gorton** filled in admirably. Sponsors included: Governor Dan Evans, Secretary of State Lud Kramer and King County Executive **John Spellman**.

● A full report on the recent NGB meeting will be in next month's 14a column.

● Several Chapters have elected new officers. In New Haven — President, **Hayward Draper**; Vice President, **Deke Karzon**; Secretary-Treasurer, **Jim Maloney**. In Washington — **Daniel Swillinger** is a new NGB member. In Hartford — President, **Robert S. Smith**; Vice President, **Edward Cohen**; Secretary, **Phoebe McConaughy**; Treasurer, **Henry Kinne**.

## LETTERS

### A LATER VIEW

Dear Sir:

I am a bit unhappy, both for my own sake and Ripon's, to see **Day Care: A Proposal** in the FORUM. The paper was written over a year ago, months before President Nixon's August address on welfare reforms. Much of the day care material in the paper published is irrelevant or out-of-date and has been subjected to criticism and revision over the past year.

In a later paper the Hartford chapter suggested a new thrust for proprietary or business-based quality day care through a system of tax rebates. The KLH experiment in Cambridge was analyzed. Unions, too, were encouraged to cooperate in setting up day care centers for their members. We explored the tutorial and educational day care programs for the very young set up by the American Institutes for Research in the Behavioral Sciences under contract with the U.S. Office of Education.

We attempted to define, specifically, the term "quality day care" in the President's proposals for welfare reform and offered concrete examples for teacher training, including programs for para-professionals. We took a look at programs now operating in the urban center of Hartford, including the teacher training at The Center for Human Development and the MIA plan (Multi-Instructional Area plan) of SAND Inc., an inner city area where the majority of families are on welfare.

The President's proposals for welfare reform do not merely concentrate on a family assistance plan and the funding of a day care program for welfare mothers and their children. They represent as well an overview of the entire scope of poverty, including OEO and Manpower Training reorganization, and Federal revenue-sharing with the states. Of particular interest to a state like Connecti-

cut where welfare administrative costs are now approximately \$14.5 million a year is the President's proposal to offer States the option of allowing the Federal government to handle all state supplemental assistance payments on a reimbursable basis.

A work incentive plan to provide workfare instead of welfare for the parent is, in the words of the **Wall Street Journal**, "the solution not only to society's welfare problems but to the recipient's individual ones," provided the incentive really operates, and **The Journal** has some doubts on FAP incentives. But the real problem in many states is that the bulk of our welfare recipients are children who cannot work and who are growing up in circumstances which will discourage them from becoming productive adults. We feel, therefore, that quality day care is fundamental to welfare reform. Even such a hard-nosed critic of the urban "crisis" as Edward Banfield proposes that we pay poverty families to send their children to day nurseries and pre-schools, "the programs of which are designed to bring the children into the normal culture." Thus, we do not regret the thrust of the day care paper published in the FORUM. We wish only to make our suggestions more relevant to the present national discussion.

—Barbara Mooney  
Hartford, Connecticut

## HEAD VS. GOETZ

Dear Sir:

As a veteran of Minnesota Republican politics, I was somewhat disturbed by the "Political Notes—Minnesota" article in the April 1970 issue of the FORUM. As a personal acquaintance of both gubernatorial candidates, Lieutenant Governor **Jim Goetz** and Attorney General **Doug Head**, as well as FORUM correspondent **Doug Watson**, I feel I should clarify a few points. First, it should be obvious from the article that correspondent **Watson** is an opponent of the group to which he referred as "the Hennepin County Mafia." As a resident of out-state Minnesota (Rice County), the area which Mr. **Watson** alleges is resentful of Hennepin County's (and by implication, Mr. **Head's** organization) control over the Republican Party in Minnesota, it has been my impression that the Hennepin organization is not so strongly opposed in the out-state areas as is Mr. **Watson's** own "Edina clique."

Speaking specifically about the candidates, both **Goetz** and **Head** are men of the very highest calibre. I don't feel that either candidate possesses any more "charisma" than the other. Both men have very progressive records, although Mr. **Head** was the only major Republican office-holder in Minnesota to participate in the October Vietnam Moratorium.

In short, it is the opinion of this writer that the only real difference between the two is that Mr. **Head** has proven himself as a better vote-getter, primarily because of his exceptionally effective use of campaign organization. This will be needed in Minnesota in the battle against the **Humphrey-led D-F-L** ticket in November.

—David E. Schrader  
Cambridge, Massachusetts  
(Northfield, Minnesota)

## DIVERSITY IN MINNESOTA

Dear Sir:

As a Minnesotan I was most pleased to see the article "Filling LeVander's Shoes" in the April FORUM. While I fully support the writer's contention that state Republicans were on the whole somewhat distressed by the loss of the progressive **Harold LeVander**, an early supporter of **Nelson Rockefeller** in 1968, we are most pleased to have two candidates vying for the gubernatorial nomination who represent the moderate-liberal wing of the party. Either Lieutenant Governor **James B. Goetz**, 33, or Attorney General **Douglas Head**, 40, would be strong standard bearers indeed.

Many aspects of the article appeared, however, from the vantage point of this reader to contain inferences and innuendos not in keeping with the events that have transpired within recent weeks. It now appears that **Head** is exhibiting a wider range of support from all elements of

the state than the article suggested. Goetz has not, as the article stated, been the "most likely winner in much of the non-metropolitan area." In fact, of the 74 counties in the state that went on record as either endorsing one of the two gubernatorial hopefuls or casting straw ballots favoring one candidate or the other, Head carried 50 out of the 74. Goetz carried Ramsey County (St. Paul) by one vote while Head obtained 56 percent of the backing from Hennepin County (Minneapolis). Additionally Head received 58 percent of the votes from college Republicans during their state convention and carried the Y.L.R.'s meeting by a vote of 102 to 58 for the present Lieutenant Governor. Thus Head is drawing support "from a growing number of young voters" and not Mr. Goetz as your article indicated. Finally, The Minnesota Poll released some two weeks ago stated that among Republicans Head was favored by 54 percent while Goetz rallied 25 percent of the party supporters. Among Independents Head garnered a 57 percent level to Goetz's 24 percent.

Political contention among voters of the North Star State continues over the decision of Head to enter the gubernatorial race rather than continue his challenge of 3rd District Congressman Clark MacGregor. Some claim that the senatorial bid was not beyond the grasp of Head; MacGregor, the Upper Midwest Nixon Chairman, however, may have been more acceptable to the national administration especially in the light of the close relationship existing between MacGregor and Attorney General John Mitchell. Few would question, however, that the Head decision did in fact strengthen the entire ticket and enhanced the chances of the leading Republican contenders in their bid for public office. Hence the article's mention that Head "shift(ed) to the more promising gubernatorial race" may have been somewhat simplistic in its approach.

Head's public exposure was increased by his recent selection as President of the National Association of Attorneys General, the first Minnesotan so honored. Additional prestige resulted because of the strong stand taken by the Attorney General against Northern States Power Company and this state's desire to require higher standards against pollution than the Atomic Energy Commission. Minnesota's stand has been strengthened by the addition of the support of 21 other states and the Southern Governors Conference.

Minnesota, as other Midwestern states, does exhibit a certain degree of antagonism between its more conservative rural elements and its moderate leaning urban centers as the article suggests. Certainly Minnesota is not unique in that respect. As a resident of urban Hennepin County (Minneapolis) I am well aware that ill feeling sometimes surfaces between these segments of the state expressing political diversity. Yet I feel it would be an overstatement to imply, as the article did, that Head's urban base and his "connections" might be the significant reason for the apparent lead held by the attorney general. As I have indicated elsewhere, the Head support is built on a broad base among the various segments of the state's population.

Both candidates are issue oriented and as the article's author suggested the issues do center around such considerations as pollution, credibility of the state government, intergovernmental cooperation and state and local financial problems. Divergency would exist, however, over who first championed them!

—Dean Lapham  
Bloomington, Minnesota

## AGAINST ABORTION LAW REPEAL

Dear Sir:

I have been a member of the Ripon Society for about four years. When my membership came up for renewal, I put your renewal notice in my pile of "things to do." By the time I got back to it, I had received in the mail the May issue, and its article headed "The Right to an Abortion."

When I joined Ripon, I did so because I felt the need for a progressive influence within the Republican Party. I knew, of course, that just as I do not agree with every position taken by my party or my President, I probably would not agree with every position of the Society.

Consequently, I silently absorbed articles implying the need and desirability of artificial contraception, articles ridiculing public officials, and other assorted articles which seemed more to reflect the intellectual snobbery of their authors than critical, calm investigations of a particular social or political problem.

However, the abortion article may be the last straw. It all but ignores the vital question "at what point does an unborn child become a 'person' entitled not to be 'deprived of life . . . without due process of law'?" The "chain of life" baloney is irrelevant to this question. The slur on the motives of Pope Pius IX is less than appreciated by me. And the assertion that "repeal of abortion laws can never force individuals to act contrary to conscience" is simply untrue. Picture the doctor who must choose between performing an abortion and a malpractice suit.

Drury's *Advise and Consent* depicts a "goody-goody" peace organization whose initials just happen to spell COMFORT. I suggest that to be the true basis of attempts to loosen restrictions on abortions. The surest method of avoiding unwanted pregnancies is quite simple. But it is not as pleasurable as young, modern (i.e. spoiled) America wants.

—Andre D'Andrea  
Newport, Rhode Island

## ONE GOAL AT A TIME

I particularly enjoyed the articles by Linda Mathews and Cynthia Mollenkopf, "The Oppressed Majority": a useful exposition and I would like to comment.

Any working woman, single or married, has encountered sex-based discrimination: exclusion from business meetings which a man would have attended, disproportionately low salary for the equivalent position, etc., the whole dreary catalogue.

The cause, however, of achieving legal equality for women and eliminating the degrading occasions of job and salary discrimination has come to be regarded as unfashionably conservative in a movement dominated by the noise of the militant Women's Lib adherents. These flamboyant activists have served the hitherto useful purpose of forcing public attention to the inequity of the situation. Perhaps, however, they have done enough. According to the article, Women's Lib is dedicated to the re-structuring of society. A modest proposal. But in their scatter-gun dissatisfaction with the world around them they risk destroying a movement ultimately more relevant to the mass of women than Women's Lib can ever be.

Instead, we need unity. Many of the problems now being exacerbated by Women's Lib could be avoided if women would focus their energy on one goal at a time. Like Roger Fisher said at Airlie: the "yes-able proposition," the determination of one action you want to accomplish. Your subsequent action, then, is concerted and effective. Abortion law reform may well be an important stage in the attainment of equality between the sexes, but it is not the most pervasive example of sexist discrimination. And it will not provide the cure. Controlling one's body means more than one's legal right to have abortion on request.

But on page 10 the authors define the real problem: most women do not think they are oppressed — in effect because "our acceptance of our own inferiority is so deeply conditioned that most of us cannot even remember a time when we genuinely felt we were as important as men." Speak for yourselves, ladies. The answer, insofar as one is possible, is self-acceptance. Those of us who accept ourselves do not feel inferior or "less important" than men. I would hazard the assumption that we feel different, and proud of it. But different is not inferior. In many cases it is the opposite.

And we will change the offensive laws — providing the exaggerations of the movement's left wing do not cause the apathetic woman to find more in common with men (hence to re-assert her imagined "superiority" over the "discontented" members of her sex) than she does with those women who are trying to make life less frustrating for themselves and her daughters.

—Babette Fraser  
Washington, D.C.

## Equal Employment Opportunity

Justice and reality demand that we guarantee equal employment opportunity for minority group workers. Realization of this goal has long eluded the American people.

Because of this gap between dream and reality, the Nixon Administration has assigned top priority to achieving equal opportunity in the workplace.

Nobody put the problem of inequality into clearer perspective than President Nixon when he said:

"There can be no social justice until there is economic justice, and equal employment opportunity is the key to economic justice in America."

In building construction, these issues have grown acute: the moral challenge to do what is right, and the economic challenge to meet the demand for craftsmen now and in the future.

### OFCC IS RESPONSIBLE

To increase the supply of skilled minority workers, the Federal government has taken several significant steps. The Secretary of Labor is charged, by Executive Order 11246, with administering the Government's policy of insuring equal opportunity in Federal and Federally-assisted contract work. To carry out the Department's responsibility, the Office of Federal Contract Compliance (OFCC) was established.

In the construction industry, the "Philadelphia Plan" represents a major innovation for increasing minority employment. The Plan requires bidders on all Federal and Federally-assisted construction projects over \$500,000 to submit affirmative action programs to achieve goals for the employment of minority employees on these projects.

The Plan went into effect in September 1969, in the Philadelphia area. Six high-paying construction trades were affected. Previously each of these trades had less than 2 percent minority representation in an area with substantial minority population.

Under the Plan, the Government studies the area labor market and sets the range of minority utilization that must be sought in each of the six crafts on a given project. The contractor is required to establish his goal of minority utilization at least within this range.

When a contractor meets his goals, he is presumed to be in compliance. What is required of the contractor is good-faith effort. If he fails to meet his minority hiring goal, he is still not automatically viewed as in noncompliance — provided he has made the good-faith effort. There are no quotas here. Quotas

are exclusionary. What we seek is an inclusionary objective. The employer is required to act in good faith to reach the objective.

Because discrimination in the construction industry is a national problem, the Labor Department in February of this year launched a national program for achieving equal employment opportunity in Federally-funded construction work in 18 major cities. Six are "priority" cities: Boston, Detroit, Atlanta, Los Angeles, Seattle and Newark. The others are Buffalo, Cincinnati, Denver, Houston, Indianapolis, Kansas City, Miami, Milwaukee, New Orleans, New York, San Francisco and St. Louis.

In this national program, the "hometown" area-wide solution is encouraged by the Department. By the hometown approach, we mean the resolution of minority employment problems at the community level, through agreements worked out by local leaders: contractors, union officials, minority group spokesmen and municipal officials. By "area-wide" we mean that the hometown solution covers the entire metropolitan area, including private construction as well as Federally-funded work.

### THE STICK IS READY

If local areas do not come up with their own solutions, the Federal Government will take those steps necessary to ensure that equal employment opportunity is realized. This may involve installation of minority-hiring programs based on the Philadelphia Plan.

We want to be fair. The penalty of contract rejection is a strong one, but we shall not fear to use it where the situation warrants it.

To broaden the scope of efforts for achieving fairness in the workplace, the Labor Department this past February issued regulations pinpointing affirmative action requirements for Federal contractors outside the construction industry. These regulations, known as Order No. 4, require that, where evidence of discrimination exists and numbers or percentages for boosting minority hiring are relevant, the contractor must establish and follow specific goals and timetables.

So, clearly, the Administration has taken significant strides toward removing unjust bars to employment opportunity. These efforts to achieve justice in employment will continue in the months and years ahead.

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*George E. Schultz is Secretary of Labor.*